

DOCKET NO: 272535US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
Florence TOURNILHAC, et al. : GROUP ART UNIT: 1616  
SERIAL NO: 10/538,924 :  
FILED: JUNE 13, 2005 : EXAMINER: SULLIVAN, DANIELLE  
FOR: CARE AND/OR MAKE-UP  
COSMETIC COMPOSITION  
STRUCTURED WITH SILICONE  
POLYMERS

**RESPONSE TO NOTICE OF NON-RESPONSIVE ELECTION OF SPECIES**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

SIR:

In response to the Notice of Non-Responsive Election of Species mailed June 2, 2008, Applicants elect, with traverse, the specie of nylon 611/dimethicone (polymer), volatile oil (isododecane) and octyldodecanol (compound capable of causing a decrease of fusion). Claim 1 does not require the presence of a volatile oil. Thus, of the pending claims, at least claims 1-38, 43-55 and 57 read on the elected specie of polymer and compound capable of causing a decrease in fusion. Taking the elected species of volatile oil into consideration, at least claims 1-7, 9-38, 43-55 and 57 read on all three elected specie.

**Remarks** begin at page 2 of this paper.